

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FLETCHER HARTWELL HYLER, SHERYL  
ROOT HYLER

No. C 07-03180 WHA

Plaintiffs,

v.

INVESTMENT GRADE LOANS, INC., et al.,

Defendants.

**ORDER GRANTING  
TEMPORARY RESTRAINING  
ORDER**

For all of the reasons stated on the record at the hearing, plaintiffs' application for a temporary restraining order is **GRANTED**. Defendants and each of them are enjoined and restrained during the pendency of this action from engaging in, committing or performing, directly or indirectly, selling or attempting to sell or causing to be sold the real property at 5070 Alpine Road, Portola Valley, California, either under a power of sale contained in a deed of trust or by a judicial foreclosure action. This order is subject to the following two conditions.

*First*, plaintiffs must post a bond in the amount of \$835,000 no later than **AUGUST 15, 2007, AT NOON** (which amount plaintiffs concede is due no matter what and which will be posted by such date). Alternatively, said amount of cash may be paid by defendants no later than **AUGUST 15, 2007, AT NOON**.


*Second*, plaintiffs' counsel must file a motion for summary judgment to be heard on **OCTOBER 11, 2007, AT 8:00 A.M.**, with a cross-motion to be filed by defendants, all on the

1 schedule discussed at the hearing. Plaintiffs' counsel has represented that this case will be  
2 resolved on cross-motions for summary judgment without discovery.

3 If either of these two conditions are not met, defendants are free to sell the property  
4 under the power of sale without further order of the Court.

5  
6 **IT IS SO ORDERED.**

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8 Dated: August 2, 2007.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE